

# Court of Appeals, State of Michigan

## ORDER

People of MI v Rafael Bean

Docket No. 299160

LC No. 98-006871-FH

Kurtis T. Wilder  
Presiding Judge

Brian K. Zahra

Kirsten Frank Kelly  
Judges

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The Court orders that the motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal the May 13, 2010, order of the Wayne Circuit Court is DISMISSED for lack of jurisdiction. Because defendant previously appealed his conviction as of right and filed a previous motion for relief from judgment, he could seek relief in the circuit court only under the procedures provided by Subchapter 6.500 of the Michigan Court Rules. See MCR 6.429(B)(4). Defendant already filed a motion for relief from judgment and cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). None of the exceptions found in MCR 6.502(G)(2) are applicable.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 13 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk